

**AMENDED  
M I N U T E S  
SANDY CITY COUNCIL MEETING**

Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**AUGUST 8, 2006**

Meeting was commenced at 7:02 p.m.

**PRESENT:**

**Council Members:** Vice Chairman Dennis Tenney, Bryant Anderson, Scott Cowdell, Chris McCandless, and Stephen Smith

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Economic Development Director Randy Sant; Deputy to the Mayor John Hiskey; Police Chief Stephen Chapman; Fire Chief Don Chase; Parks & Recreation Director Nancy Shay; Administrative Services Director Art Hunter; Deputy Administrative Service Director Scott Bond; Administration's Management Analyst Korban Lee; Speaker of the House Todd Kiser; Senator Wayne Neiderhauser; Senator Carlene Walker; Alta Canyon Recreation Center Director Janet Cassell; Council Office Director Phil Glenn; Council Office Manager Naleen Wright

**ABSENT/EXCUSED:**

Chairwoman Linda Martinez Saville (family illness); Councilman Steve Fairbanks (vacation)

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by Councilman Chris McCandless, and the Pledge was led by Councilman Stephen Smith.

2. **CITIZEN(S) COMMENTS:**

a. None

**PUBLIC HEARING(S):**

3. **Street Closure: Union Park Avenue East Frontage Road**

Public Hearing to consider a request of Mr. Dan Christensen, representing Park Avenue Partners L.L.C., requesting closure of the frontage road located on the east side of Union Park Avenue (7675 So. up to 7715 So.), to enable him to acquire a portion of it, and to incorporate it into his development (Village @ Park Avenue). It is proposed that this property be closed, divided into two sections (north and south), so that the land area associated with this right-of-way may be sold for appropriate development

**DISCUSSION:** Mike Coulam, Director of Community Development, stated that he would be making the presentation. An appeal to the Council was held on the Conditional Use granted by the Planning Commission for the development of the Village @ Park Avenue. The Planning Commission's decision was upheld. The Site Plan, also approved by the Planning Commission, was appealed to the Board of Adjustment by a group known as the "Friends of Union Park." This appeal was also denied. The "Friends of Union Park" have since filed a lawsuit, which at this time, is unresolved. Because of the litigation, Staff are asking that the Council go ahead and hold the Public Hearing noticed for this evening's meeting, but to "table" a decision until the litigation is resolved.

Mr. Coulam stated that Staff continue to believe that Mr. Christensen's development proposal is a good land use. He indicated that both Planning Staff and the Planning Commission recommend closure of the roadway.

Mr. Dan Christensen, representing Park Avenue Partners, L.L.C., has filed a request that the City Council close the frontage road located on the east side of Union Park Avenue. Closure of this parcel will enable Mr. Christensen to acquire a portion of it and then incorporate it into his development. Cirrus Properties has also indicated a possible interest in making an offer on the roadway property. It is proposed that this property be closed, divided into two sections (north and south), so that the land area associated with this right-of-way may be sold for appropriate development.

The Planning Commission held a public meeting on February 16, 2006. The Planning Commission determined that preliminary review was complete and approved a conditional use permit for the Village @ Park Avenue site plan. On May 4, 2006, a revised preliminary review was scrutinized and determined to be complete with a number of conditions of approval. One of the conditions of approval required the developer to proceed through the road closure process with Sandy City for closure and sale of the existing frontage road property along Union Park Ave. The area under consideration is currently being used as an existing right of way (frontage road) that services a number of the existing properties that are currently located on the east side of Union Park Ave.

Sandy City Ordinance requires that the Planning Commission review all requests to modify a public street, and to make a recommendation to the City Council. The City Council is required to hold a public hearing prior to making a final decision.

The section of frontage road proposed to be closed is located between approximately 7675 and 7715 South (east of Union Park Avenue). Currently, this frontage road provides access to a number of existing properties. The road was originally part of Union Park Ave. (then called 13<sup>th</sup> East). When Union Park was realigned this portion was not needed for the road. It was then built as a frontage road to allow access to the 4 or 5 adjacent duplex lots, and to provide an alternative to each separate duplex lot from having a separate driveway directly accessing Union Park Avenue. Union Park Avenue is a very busy street and the City and owners of the lots agreed that access to a frontage road was more safe than direct access to Union Park Ave. With the approval of the site plan for the Village @ Park Avenue, the northern portion of the subject property is no longer needed as a public street. The southern portion may not be necessary, if it is integrated into a development that may be proposed in the future on the Cook and Cirrus properties.

The closure of this frontage road east of Union Park Avenue is consistent with the following Goals and Policies:

**GOAL:** Design Transportation Facilities To Assure Even and Efficient Traffic Flow Throughout The Community.

**POLICY:** Conduct a continual evaluation of the road system to insure that proposed and existing road designs will adequately serve the functional needs of the community.

This frontage road is not classified as a required street on the Master Transportation Plan maps. Closure of this section of the street will not affect the implementation of the General Plan nor the required street system.

This street is not specifically identified as a necessary public facility or property for the necessary purposes of carrying out the General Plan. This closure also would not be contrary to the General Plan, nor is it necessary to carry out other City projects. No citizen issues have been raised prior to the hearing.

Staff has the following concern regarding this proposal as submitted by the applicant:

The entire frontage road may be vacated or closed. It is recommended that the northern portion be sold to the developer of the Village @ Park Avenue. The southern portion may be closed now, retained as a public right-of-way until such time as a site plan has been approved and an application for closure has been submitted for the southern portion of the road or retained as public right-of-way to serve a future development.

**Staff Recommendation:**

Staff recommends that the City Council consider all the options and to close, at a minimum, the northern portion of the frontage road that is located on the East side of Union Park Avenue between approximately 7675 and 7715 South for the following reasons:

1. This right-of-way is not needed for regular vehicle traffic and does not appear on the official Sandy City Street Map.
2. The site of the Village @ Park Avenue is a very narrow site and without the proposed closure, the property owners would be severely limited on what could be built on the site due to the steep grades on the east side of the property.
3. The City will benefit from the development of this currently underutilized property.
4. Neither the public interest nor any person will be materially injured by the proposed closure, because all parcels will continue to have public access.

**The public hearing was opened by Acting Chairman Dennis Tenney.**

**Developer Dan Christensen** asked the Council to consider voting on this matter this evening. It was his opinion that the litigation would not have much effect on this decision. Mr. Christensen indicated that they own all properties affected by the proposed road closure.

**Vince Rampton**, Attorney representing the Cirrus Corporation, stated that his client owns the pork chop shaped parcel adjacent to the Christensen development. His clients are challenging the annexation through the courts. Closure of the frontage road adjacent to their parcel will affect his client. They have not received information from City Staff explaining how access to their property may be affected by the proposed closure.

**Mr. Dahl, Siesta Drive**, concurred with Mr. Rampton that the Council should table their decision on this matter at this time.

**The Public Hearing was closed by the Chairman.**

**Scott Cowdell** asked if the City would be compensated if the roadway were to be closed.

**Mike Coulam** stated that the City would be compensated after an appraisal (which has not yet been done) and an agreeable price has been settled upon.

**Scott Cowdell** stated that he would be uncomfortable in approving a closure until a finalized sales price is given to the City Council for review.

**Stephen Smith** stated that it was his understanding that a road vacation would simply divide the parcel and deed it to the abutting property owners. A closure allows the City to sell the property. He asked, "Do we have the ability to determine who the property is sold to, or is it set out to bid?"

**City Attorney Walter Miller** stated that the City does not have any obligation to sell this property to any one person. He assured Mr. Rampton, attorney for the Cirrus property, that the City does have the obligation to provide access to the Cirrus property.

**Mike Coulam** also assured Mr. Rampton that once the City has a proposal for the vacant parcel, an access will be designed for both the Cirrus property and the adjoining one.

**Chris McCandless** said he supports Staffs' position. There is too much going on to act on at this at this time. Other issues must be addressed first.

**Walter Miller** asked the Council not to put into their motion to delay action on this item to a specific time period to bring the item back for adoption, as we do not know how long it will take for the litigation to be resolved.

**Dennis Tenney** clarified that the Public Hearing portion of this request has been closed.

**MOTION:** **Stephen Smith** made the motion to table action on this item until other legal issues are resolved, or until the City feels it prudent to proceed.  
**SECOND:** **Chris McCandless**  
**VOTE:** **Smith- Yes, McCandless- Yes, Anderson- Yes, Cowdell- Yes, Fairbanks- Absent, Saville- Absent Tenney- Yes**

**MOTION PASSED**  
5 in favor, two absent

5. **Notice of Proposed Alta Canyon Special Service District Tax Increase**  
Public Hear to consider a proposal proposed by the Alta Canyon Special Service District to increase its property tax revenue. As a result of the proposed increase, the tax on a \$300,000 residence will be \$40.59 and the tax on a business having the same value as the average value of a residence in the taxing entity will be \$73.80. Without the proposed increase, the tax on a \$300,000 residence would be \$33.83 and the tax on a business having the same value as the average value of a residence in the taxing entity would be \$61.50.

The 2006 proposed tax rate is 0.000246. Without the proposed increase the rate would be 0.000205. This would be an increase of 20.00%, which is \$6.77 (\$0.56 per month) on a \$300,000 residence or \$12.30 per year on a business having the same value as the average value of a residence in the taxing entity. With NEW GROWTH, this property tax increase and other factors, the Alta Canyon Special Service District will increase its property tax revenue from \$283,974.00 collected last year to \$344,000.00 COLLECTED THIS YEAR WHICH IS A REVENUE INCREASE OF 21.14%.

**DISCUSSION:** **Administrative Services Director Art Hunter** reported that the Alta Canyon Special Service District (ACSSD) has had growth, but no tax increase since its inception 25 years ago. The recreation building itself is 23 years old, and the costs to maintain and operate it have risen dramatically. A tax increase is badly needed to keep the recreation center up-to-date and operational. The average market value of a home in the ACSSD is \$300,000. The proposed .000246 tax increase equates to \$6.77/year, or 56 cents per month. A business located within the ACSSD, with a \$300,000 value, would

be taxed \$12.30/year, or \$1.03 per month.

Mr. Hunter indicated that Alta Canyon Recreation Center Director Janet Cassel, Parks and Recreation Director Nancy Shay, and members of the elected Alta Canyon Recreation Special Service Board were in attendance at this meeting to respond to questions.

**Nancy Shay** stated that Art Hunter had basically covered everything. She emphasized the need for repair and maintenance money to cover the costs to keep the recreation center operable. Ms. Shay stated that the proposed tax increase will only help with current operation and maintenance issues.

**The public hearing was opened.**

**Niles Pierce**, Hickory Point Drive, commented that a \$6 dollar tax increase per year doesn't seem like much, when taken by itself. However, when one considers that sewer fees have quadrupled, water costs continue to rise each year, and the County is proposing new ballot issues to increase taxes for a TRAX proposal, open space and an aquarium, the overall tax burden to residents becomes quite large. Mr. Pierce reported that he has only been to the recreation center one time, and he didn't like it. He felt the prices charged to "members" were quite high. Mr. Pierce asked, "Why should we tax orphans and widows for fluff?" He did not feel a tax increase was warranted, and a recreation center should not even be considered as an appropriate reason to seek a tax increase.

**Robin Synider**, 2731 Falcon Way, stated that she liked the Alta Canyon Recreation Center, and especially, its swimming pool. She noted that most often when a tax increase is put into effect, it is never reduced. She asked if this tax increase was being considered for only a limited time, as it seems when a tax increase is put into place, they go up, not down. Ms. Synider commented that these are difficult economic times with increased costs of gas and other things. Ms. Synider added that while she realized maintaining a swimming pool is expensive, she felt the recreation center should raise fees at the facility rather than seek a tax increase.

**The Public Hearing was closed, as there were no further comments.**

**Council Discussion:**

**Councilman Chris McCandless** asked if the Alta Canyon Recreation Center user fees were comparable with other similar recreation facilities.

**Nancy Shay** reported that a comparison study has been done every year. We have made adjustments to stay even in the market place.

**Chris McCandless** stated that he would like to see a copy of the study.

**Stephen Smith** how the proposed tax rate compared to other special service districts.

**Nancy Shay** responded, "We're way down at the bottom."

**Bryant Anderson** stated that he was sympathetic to those living in the District regarding the proposed tax increase. As a City, we have lowered property taxes for the past 7 years (around 13 %). Taxes collected for the Alta Canyon Recreation Special Service District have been a steady fixed amount for approximately 20+ years. The value of the homes in the District have appreciated, and yet the tax has remained the same. He expressed his admiration for a job well done by the Directors and the Board of the Alta Canyon Recreation Center to have kept the center operational this long without raising taxes.

The decision now becomes, "We have this beautiful facility, do we shut it down or keep it alive?" Mr. Anderson stated that he has already received his property tax assessment, and he is being charged \$6.10 a year on his home for the ACRSSD portion of his taxes. He felt that the benefits derived from the District are worth keeping it alive.

**Scott Cowdell** commented that the public has been affected by many cost of living increases that are all tied into the increasing costs of oil. The Council reviews a request for a tax increase with great care. Even though \$6 a year doesn't sound like much, on top of all of the other rising costs, it accumulates. Sandy property taxes have gone down (Sandy City's portion), and residents have not had a tax increase in many years. Those living in the ACRSSD are essentially being charged a User Fee. This fee has not been increased in 20 years.

He believes the recreation center is an asset to the City. The residents of the Alta Canyon Quadrant bonded to build the recreation center and four parks, before the City was able to afford to build them. These amenities have been given as a free asset to the rest of the City. Mr. Cowdell believes that the rest of the City should now pay Alta Canyon residents back for what they bonded to do, when the City wasn't in a position to do so. He felt it would be advisable to make this tax a small increase for the entire City. Mr. Cowdell said, "This is an asset that we want to keep."

**Chris McCandless** stated that he doesn't use the Alta Canyon Recreation facility, because he likes to be outdoors climbing mountains. He emphasized that the recreation center keeps adults busy, and youth too. We, as a city, need to maintain this recreation center, because it benefits our community. Mr. McCandless stated that he supports the tax increase. Councilman McCandless stated he would have approved a larger tax increase had it been proposed.

**Bryant Anderson** commented that we have received a good return on the original \$1.3 million dollar investment. For instance, the 30 acre park cost the City over \$10 million.

**Stephen Smith** expressed his appreciation to Staff and the Board members, who have done such an excellent job of keeping the center operational with inadequate resources. They have faced some significant challenges. Many of his neighbors go to this community center. He stated that he would support the tax increase, because losing the recreation center through an inability to provide ongoing maintenance and operational costs would be a loss to the entire city.

**Dennis Tenney** said he would echo the positive comments already made. He said, "This is really an investment in our community."

**Vote: See #9**

#### **COUNCIL ITEMS:**

6. **Code Amendment: Creating the SD (PO/Silver Sage) District**  
**Ordinance #06-23 - amending Title 15 of the Revised Ordinances of Sandy City (The Land Development Code) by adopting a new Section, 15-29-35, SD(PO/Silver Sage) District.**

**MOTION:** Scott Cowdell made the motion to adopt Ordinance #06-23 - amending Title 15 of the Revised Ordinances of Sandy City (The Land Development Code) by adopting a new Section, 15-29-35, SD(PO/Silver Sage) District.

**SECOND:** Chris McCandless

**VOTE:** Cowdell- Yes, McCandless- Yes, Smith- Yes,  
Anderson- Yes, Fairbanks- Absent, Saville- Absent, Tenney- Yes,

**MOTION PASSED**  
**5 in favor, 2 absent**

7. **Silver Sage Rezoning**  
**Ordinance #06-24** - rezoning approximately 2.43 acres form the PO "Professional Office District" to the SD (PO/ Silver Sage) District. The property is located at approximately 10883 South 700 East.

**MOTION:** Chris McCandless made the motion to adopt Ordinance #06-24 - rezoning approximately 2.43 acres form the PO "Professional Office District" to the SD (PO/ Silver Sage) District. The property is located at approximately 10883 South 700 East.

**SECOND:** Dennis Tenney

**VOTE:** McCandless- Yes, Tenney- Yes, Smith- Yes,  
Anderson- Yes, Cowdell- No, Fairbanks- Absent, Saville- Absent

**MOTION PASSED**  
**4 in favor, 1 no, 2 absent**

8. **Interlocal Agreement: U.S. Department Of Housing & Urban Development/Sandy City**  
**Resolution #06-57 C** - authorizing the execution of an agreement between the U.S. Department of Housing and Urban Development and Sandy City for release of entitlement funds to Sandy City.

**MOTION:** Bryant Anderson made the motion to adopt Resolution #06-57 C - authorizing the execution of an agreement between the U.S. Department of Housing and Urban Development and Sandy City for release of entitlement funds to Sandy City.

**SECOND:** Stephen Smith

**VOTE:** Anderson- Yes, Smith- Yes, McCandless- Yes,  
Cowdell- Yes, Fairbanks- Absent, Saville- Absent, Tenney- Yes,

**MOTION PASSED**  
**5 in favor, 2 absent**

9. **Study: Alternative School District 7:30 p.m. (Hiskey, Bennett)**

**DISCUSSION:** Deputy to the Mayor John Hiskey introduced **Mike Bennett**, the consultant hired to study Sandy's possible participation in creating an alternative school district by itself, or the advantages and disadvantages of creating a three city school district comprised of Sandy City, Cottonwood Heights and Draper City. Most of Sandy's school children are currently enrolled in the Jordan School District.

**Mike Bennett** went through his "Sandy City Feasibility Study" (**See Exhibit "A"**) with the Council and Administration. He explained that the three main sources of educational funding come from Federal, State, and Local (Property Tax) sources. Federal funding consists of Special Education funds, NCLB (No Child Left Behind) monies and Federal Grants. State funding is used primarily for basic school programs, plus special categorical funding for additional programs. Local funding is derived from property taxes which stay within the district where each student resides. Building construction, remodeling, property acquisition, maintenance equipment and most technology purchases are paid for with local funding. Also, some transportation costs, all sports programs, and some additional education programs are financed with local property taxes.

Mr. Bennett explained that Jordan School District allows its students to attend the school of their choice.

As a direct result of this policy, small amounts of local funding (a set share per student, WPU [Weighted Pupil Unit]) are transferred to a student's actual school of attendance, based upon a fund transfer outlined in interlocal District agreements. Students identified for special education programs funded by State and Federal governments also take that special funding with them to the school they attend. Most students, however, enroll within their own school district. (Mr. Bennett, for example, estimated that Cottonwood Heights, Draper City and Sandy City have actual enrollments of 91.3% of their potential enrollment which is estimated (for all three cities) to be 27,180.

\*Note: For purposes of this study, students from White City, Granite and other County islands are included within Sandy City's total student population.

Mr. Bennett estimated that students of the three cities (Sandy, Cottonwood Heights, and Draper) comprise 34.3% of the current student population of the Jordan School District. He provided an analysis of future enrollment projections and projected revenues for State, Federal and local property taxes.

Mr. Bennett discussed the advantages and disadvantages of forming a Sandy "only" district, a three city school district, or remaining status quo within the existing Jordan School District. Bonding was a major issue, as the Jordan School District has bonded every year since 1997. They currently have \$171,915,000 in outstanding debt. This debt is projected to be retired in specific increments beginning in 2007 and completed by 2021.

The Jordan School District currently has voter authorization to issue an additional \$211 million over the next four years. (\$15 million in 2007, \$57 million 2008, \$89 million 2009 and \$50 million in 2010.) This is a very important consideration when one considers "*The formation of any new district would not involve debt service obligations for the \$211 million dollars of Jordan School District Bonds authorized, but not yet issued.*" If a new district were to be formed, not incurring the additional \$211 million debt would be something to strongly consider.

Mr. Bennett stated that he had already given a similar presentation to Cottonwood Heights. He noted that Midvale City currently wants to remain in the Jordan School District.

Mr. Bennett highly praised Jordan School District's Superintendent Barry Newbold for his help and cooperation in providing much of the statistical information included as part of the Council's study. He noted that Mr. Newbold was voted "Best Superintendent in the State of Utah." Several years ago, he was also voted the second runner-up for the best superintendent nationally. Mr. Newbold had his people immediately provide any information that was needed.

**Chris McCandless** commented that Representative Todd Kiser, Senator Wayne Neiderhauser and Senator Carlene Walker are driving in from a meeting they were attending out of town to attend Sandy's Council Meeting. He asked if the Council could either take a break or discuss other issues while waiting for them to arrive.

Other agenda items were discussed, until the other government officials arrived.

**Discussion continued.....**

**Scott Cowdell** asked, "If the Jordan School District were successful in passing a new bond before Sandy forms its own district, would that be added to the existing debt?"

**Mr. Bennett** answered, "Yes." He explained that House Bill #77 defines that any proportionate debt already incurred by the school district must be made part of the financial obligation of any newly formed



district. If Sandy could form its own district, prior to any new bonding by the Jordan School District, he did not think Sandy would be responsible for any new debt. He noted that most of the state and federal poverty money allocated for schools is allocated in West Jordan and in Midvale. Sandy has only one school that is considered at poverty level. (Sandy Elementary)

**Chris McCandless** asked, "Does that include White City?"

**Mr. Bennett** stated that White City students attend schools in Sandy. There is only one Title One school in Sandy.

**Mayor Dolan** pointed out the significance of the tax assessments for Sandy, Cottonwood Heights, and Draper totaling 49.3% of the Jordan School District's budget, when these three entities account for only 34.3% of the total students in the District. (Pg 2 of the report)

**Stephen Smith** asked, "Is the Jordan School District staying even with the capital needs for the proposed three school district area?"

**Mr. Bennett** responded, "I have no idea. The Jordan District has to prioritize and spend the money where the greatest need is." Mr. Bennett added, "I have no idea how they do that either."

**Mr. Bennett** commented that according to HB77, school buildings would go to the district wherein they exist, but there are no clear provisions for other facilities related to the Jordan School District's operation. Agreements would have to be made regarding shared capacity, or buying out a fair share. Someone will have to build new facilities. He noted that the Applied Tech School would be easy to split, because there is one in the west and one in the east.

**Mayor Dolan** stated that it is municipalities' responsibilities to their residents to see what this new legislation (HB77) could allow us to do. He noted the need to get this same information out to residents, and let them tell us what they want the City to do. While the numbers from this study are encouraging, Mayor Dolan felt it would be necessary to obtain more clarification from the Legislature on issues that have come up in this and other discussions. We are currently working with Sandy's Legislative Delegation to discuss and clarify these issues during the next session of the Utah State Legislature.

Mayor Dolan said he was concerned that Jordan School District not bond for an additional \$200 million dollars, before cities have time, between now and November, to inform residents. We would probably not be able to put this issue on the ballot until next year. Mayor Dolan commented that he, personally, hasn't directly spoken to the Jordan School District.

**Mr. Bennett** suggested having Senator Carlene Walker speak.

**Senator Carlene Walker** apologized for being late to the hearing. She explained that she and others drove in from Vernal. Senator Walker reported that Mike Bennett has been very helpful and has kept her "in the loop." Deputy Mayor John Hiskey has also shown great diligence in attending ad hoc meetings, and he has been great to work with. She agreed with Mayor Dolan that there are still a lot of unknowns. The Division of Assets and Debt are working through these issues. The bonding issue is of key interest. Karl Empey, bond counsel, seems to be quite negative about reducing the bond, even though she was told it was not meant to be negative. Jordan School District's leadership is strong with Mr. Newbold as its Superintendent.

Cottonwood Height voters feel strongly that the Jordan School District is too big, and can't seem to get in touch with residents. It appears that the East side is subsidizing the West side. Even if a new school

district is created, we don't need to feel guilty. The Jordan School District will not suffer and will still have a substantial tax base and a good bond rating. It is far better off than the Weber School District. Orem has lost their window of opportunity. Orem is so bond indebted that they probably don't have a window of opportunity.

Senator Walker stated that she agreed with Mayor Dolan, that this is something we shouldn't rush into. If Jordan School District tries to put a large bond on this November's ballot, citizens should be prepared to fight it strongly. Borders would have to be worked out by the three cities, and at this point, Draper's participation is problematic because its boundaries cross County lines. If a new district is created, agreements would have to be made to divide the assets as well as the debt. Once we have paid our debt service for the East side, we can: 1) lower taxes; 2) reduce class size. Number two is what is really being sought by residents. Students will be well served with the proposed split. There are ways to work out how we would share facilities. Senator Walker stated that she hopes we can continue these discussions, and appreciated the information gleaned from the pre- feasibility study that was presented tonight.

**Dennis Tenney** asked if there was any flexibility involved with putting this issue on the ballot to provide citizens the opportunity to vote.

**Senator Walker** responded, "It has to be done in a General Election, which comes this November."

**Management Analyst Korban Lee** commented that in order for Salt Lake County to put this issue on the November ballot this year, the County Clerk would need the language by August 31<sup>st</sup>. Interlocal agreements between all three cities and the County (for the County islands) would have to be completed prior to that date.

**Mayor Tom Dolan** added that the immediate pressure is what the Jordan School District is going to do with bonding. If they only bond for \$15 million dollars this year, it would be ok; but, if they choose to bond for \$200 million dollars, there will become a lot of pressure on what we should or shouldn't do. Mayor Dolan stated that if he had a vote, he would vote for creating a new district. He added that we need to get this information out to the residents. A campaign should be conducted to seek the assistance of school PTAs. Their assistance is vital in giving accurate information to inform the voters. It appears we are being pressured to make a quick decision. Sandy hasn't had school closings like Cottonwood Heights and Holliday, but we have the potential for school closings as our schools age.

**Mr. Bennett** commented that the pressure referenced by Mayor Dolan is really intense. There is the possibility that the Jordan School District can court you and get you to remain in their district. If they try to bond for the \$200 million dollars they are making a hostage statement.

**Chris McCandless** commented that there is too much needed information to make an informed decision. There is also a distinct lack of public input and information. We, as a Council, don't know what the public want. With such cursory information, it would be extremely difficult to be ready by the end of August. We need to look at this option of forming our own school district, especially, when one considers our very large classroom sizes, and the disproportionate tax costs assessed to our residents. As a Council, we have the obligation to delve into this as much as possible. A good decision can only be made after months of study, not weeks or days. Councilman McCandless stated that he would hate to see additional bonding put into place while cities are seriously considering the alternative school district option. It would be a more unfair situation than what we already have.

**Stephen Smith** stated that he would like to echo the comments of the Mayor and Chris McCandless. He

said he shared their sentiments. To make a decision of this importance in less than 30 days is too much to ask. More discussions are needed to determine if the East side is subsidizing the West side. He extended "kudos" to Senator Walker on the information he found on her web site. Mr. Smith stated that now is the time to take part in a tremendous opportunity to obtain additional information. He noted that even educators have expressed that they are excited at the opportunity this new district option poses. Councilman Smith said he was excited that we now have the opportunity to make the funding of education a little more palatable to our voters.

Mr. Smith felt both the Senate and the House need to revisit impact fees. With new increased enrollment projections, and the subsequent capture of additional tax revenue from this growth, it will bring tens of millions of dollars to the Jordan School District. All should take their hats off to Superintendent Newbold for being financially conservative. Without his keen foresight, the Jordan School District could be heavily in debt like Orem City is. This is an exciting opportunity to study the information that has been prepared for us.

**Bryant Anderson** commented that he was privileged to be a former neighbor to Mr. Newbold when he was younger. He stated that he agreed with much of what has been said tonight. However, he, personally, feels like being more aggressive. Our area is being "swallowed up" by a huge school district that is growing and expanding while we are losing a say in what is happening. Bigger isn't always better. Parents need more say in the operation of their schools. He believes that both the City and the District would be better off if the split did occur. He stated that he would be voting to put this on the November ballot so citizens can have an opportunity to vote. Mr. Anderson said, "the timing is ripe, and we should move forward."

**Dennis Tenney said, "Ditto."** to Mr. Anderson's comments. He acknowledged the presence of **(Teresa Gotay and Anthony Godfrey)** representing the Jordan School District. Mr. Tenney acknowledged Superintendent Newbold's excellent management and administrative skills. Smaller class size is something most people would like to have for their children. He noted that even if we decide to split from the Jordan School District, the District would be made whole. Mr. Tenney doesn't think that we need to wait until November of 2007 to educate the public. He felt there was time to draft educational information that can be disseminated to Sandy, Draper and Cottonwood Heights residents so they could be well informed by this November 2006.

Mr. Tenney felt it would be helpful to seek a letter from Superintendent Newbold outlining the Jordan School District's immediate plans for bonding and a schedule for implementation. This information could then be evaluated by Sandy residents and the City to determine how fast we should make a decision. People need to be made aware that the East side is subsidizing the West side. Mr. Tenney commented, "If we know 95% of the answers now, why should we wait another year. What could it potentially cost us by delaying a year?"

In summary, it appeared to be a majority consensus of the Council and Administration that the City would remain proactive in seeking more information regarding a possible split from the Jordan School District and the creation of a new school district. However, all this information, realistically, cannot be totally obtained and studied before the August 31, 2006, deadline, in order to place the issue on the November 2006 ballot. Legislative clarification is needed on HB77, which cannot be obtained until the next session of the State Legislature. Interlocal agreements would have to be reviewed and approved by each of the three cities. Residents of all three cities would need to be informed on all issues so they would be able to make an educated vote, if and when the issue is put on the ballot. All of these things take time.

**10. Amended Alta Canyon Special Service District Tax Increase (\*\*See Agenda Item #4)**

**Resolution #06-58 C - budgeting an increased amount of ad valorem tax revenues for the Alta Canyon Special Service District as the Sandy City Council advertised its intention to do at the time it fixed its budget for the 2006-2007 Fiscal Year. [Certified Tax Rate without increase .000205]; [Proposed new Certified Tax Rate .000246].**

**MOTION:** Stephen Smith made motion to adopt Resolution #06-58 C - budgeting an increased amount of ad valorem tax revenues for the Alta Canyon Special Service District as the Sandy City Council advertised its intention to do at the time it fixed its budget for the 2006-2007 Fiscal Year. [Certified Tax Rate without increase .000205]; [Proposed new Certified Tax Rate .000246].

**SECOND:** Bryant Anderson

**VOTE:** Smith- Yes, Anderson- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- absent, Tenney- Yes, Saville- absent

**MOTION PASSED**  
5 in favor, 2 absent

**MINUTES:**

11. Approving the May 23, 2006, the June 13, 2006, the June 27, 2006, the July 18, 2006, and the July 25, 2006 City Council Meeting Minutes.

**MOTION:** Stephen Smith made the motion to adopt all minutes as presented: May 23, 2006, the June 13, 2006, the June 27, 2006, the July 18, 2006, and the July 25, 2006 City Council Meeting Minutes.

**SECOND:** Bryant Anderson

**VOTE:** The Council voted verbally and unanimously in the affirmative.

12. **MAYOR'S REPORT:**

- a. **Mayor Dolan reported that he had** interviewed Scott Sabee as a candidate for an Alternate on the Sandy Board of Adjustment. He asked the Council if they wanted to interview Mr. Sabee, or just have the resolution brought for adoption.

**Dennis Tenney** stated that he would like to meet Mr. Sabee at the Council's August 22, meeting.

13. **CAO'S REPORT:**

- a. Provided in Executive Session and in the Departmental Briefs.

14. **COUNCIL OFFICE DIRECTOR'S REPORT:**

- a. Mr. Glenn passed out the Council's calendar, and an agenda for upcoming Utah League of Cities meeting. Lehi City has made a request that a couple of representatives from the Council and Mayor meet with them to discuss our form of city government. They would like either an early morning meeting or one after 4:00 p.m. **Dennis Tenney** and **Chris McCandless** indicated that they would be willing to attend an early morning meeting.

15. **OTHER COUNCIL BUSINESS:**

- b. None

**At approximately 9:30 p.m., Stephen Smith made a motion to adjourn Council Meeting, motion seconded by Stephen Smith .**

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Dennis B. Tenney  
Acting Council Chairman**

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**Naleen Wright  
Council Office Manager**